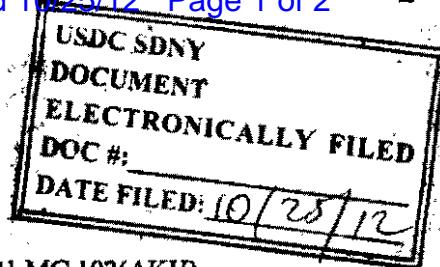


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORKIN RE LOWER MANHATTAN DISASTER SITE  
LITIGATIONTHIS DOCUMENT APPLIES TO ALL LOWER  
MANHATTAN DISASTER SITE LITIGATION

Case No.: 21 MC 102(AKH)

**STIPULATION OF DISCONTINUANCE AS  
TO DEFENDANT, GRUBB & ELLIS  
MANAGEMENT SERVICES, INC., ONLY  
FOR THE CASES LISTED IN THE  
ATTACHED "EXHIBIT A"**

**X**  
**IT IS HEREBY STIPULATED AND AGREED** by and between the undersigned for the parties in the cases listed in the attached exhibit, that whereas no party herein is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of this action and based on the representation of the within defendant, and to the extent of Plaintiff(s) can so Stipulate that each claim, cross-claim and counter-claim asserted by and against defendant *GRUBB & ELLIS MANAGEMENT SERVICES, INC.*, only as to the claims being made as to the premises located at 99 Church Street, New York, New York for the cases listed in the attached exhibit shall be and the same hereby are discontinued with without prejudice without costs to any party as against the other.

**IT IS FURTHER STIPULATED AND AGREED** that should evidence be discovered throughout the course of the litigation which determines that *GRUBB & ELLIS MANAGEMENT SERVICES, INC.*, are proper parties to this suit, that plaintiff(s) may reinstitute the action without regard to the applicable Statute of Limitations, assuming said original action was timely commenced, and in such instance Defendant shall not assert Statute of Limitation as a defense.

This Stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York  
October 5, 2012

McGIVNEY & KLUGER, P.C.  
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GRUBB & ELLIS MANAGEMENT  
SERVICES, INC.

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*S. Ankhered 10/25/12*  
*Richard E. Leff*

## EXHIBIT A

PLAINTIFF'S NAME	INDEX NUMBER	PLAINTIFF'S COUNSEL
Alvarez, Gloria (and husband, Henry Sandoya)	07CV011017	Napoli Bern
Avila, Angel (and wife, Amimsy Avila)	07CV00060	Napoli Bern
Carrero, Ramon (and wife, Maritza M. Cabrera)	08CV02590	Napoli Bern
Cook, William (and wife, Mary Ann Cook)	07CV01486	Napoli Bern
Flores, Danilda	07CV01608	Napoli Bern
Falcones, Blanca	07CV0210	Napoli Bern
Gallegos, Walter	07CV4467	Napoli Bern
Galvis, Edgar	06CV3422	Napoli Bern
Guiracocha, Cesar	08CV02272	Napoli Bern
Jalil, Julio (and wife, Charinil Jalil)	07CV04476	Napoli Bern
Lora, Andrea	07CV4484	Napoli Bern
Miranda, Susana (and husband, Martin Labre)	08CV02293	Napoli Bern
Pena, Jorge	07CV01682	Napoli Bern
Rendon, Viviana (and husband, Nestor R Valencia)	08CV2695	Napoli Bern
Serrano, Angel (and wife, Tanny Sarmiento)	07CV4516	Napoli Bern
Siguencia, Nancy	08CV02715	Napoli Bern
Vasquez, Klever	07CV4520	Napoli Bern
Vivar, Rosa (and Husband, Wilson Vivar)	06CV00997	Napoli Bern
Wieliczka, Romuald	08CV2737	Napoli Bern
Wronkowski, Marlan (and wife, Danuta Wronkowski)	08CV2738	Napoli Bern